



STATE OF WISCONSIN

Senate Journal

Ninety–Seventh Regular Session

10:00 A.M.

THURSDAY, June 9, 2005

The Senate met.

The Senate was called to order by Chief Clerk Marchant pursuant to Senate Rule 5 (4)(b).

The Chair, with unanimous consent, asked that the proper entries be made in the Journal.

CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated Wednesday, June 8, 2005.

Read first time and referred:

Senate Bill 234

Relating to: requiring the conveyance of property to electric utilities and cooperatives for the construction of electric transmission lines.

By Senators Plale, Schultz, Wirch, Kanavas, Breske, Leibham, Kapanke, Lazich and Roessler; cosponsored by Representatives Montgomery, Huebsch, Zepnick, Gard, Honadel, Jensen, Ott, J. Fitzgerald, Hines, Bies, Hahn, Van Roy, Nischke, Ainsworth, Davis and Musser.

To committee on **Energy, Utilities and Information Technology**.

Senate Bill 235

Relating to: treating property taxes as a deduction to annual household income for purposes of determining eligibility and deductible amounts under the prescription drug assistance program for the elderly.

By Senators Hansen, Erpenbach, Breske, Carpenter, Coggs, Lassa, Taylor and Wirch; cosponsored by Representatives Shilling, Krusick, Benedict, Berceau, Black, Boyle, Fields, Grigsby, Gronemus, Lehman, Molepske, Nelson, Pocan, Richards, Seidel, Sheridan, Sinicki, Staskunas, Travis, Turner and Vruwink.

To committee on **Health, Children, Families, Aging and Long Term Care**.

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read and referred:

Senate Resolution 8

Relating to: urging Congress to not enter into the Central America Free Trade Agreement until the United States has a

greater understanding of the impacts of the North American Free Trade Agreement and the World Trade Organization.

By Senators Reynolds, Lassa and Hansen.

To committee on **State and Federal Relations**.

Read first time and referred:

Senate Bill 236

Relating to: interest and fees for motor vehicle title loans.

By Senators Hansen, Erpenbach, Lassa, Taylor and Jauch; cosponsored by Representatives Seidel, Sheridan, Gielow, Ainsworth, Grigsby, Berceau and Young.

To committee on **Housing and Financial Institutions**.

Senate Bill 237

Relating to: prohibiting nonemergency helicopter landings in State Fair Park and providing a penalty.

By Senator Reynolds; cosponsored by Representative Cullen.

To committee on **Higher Education and Tourism**.

Senate Bill 238

Relating to: vehicles operated in a funeral procession.

By Senators Reynolds and Grothman; cosponsored by Representatives Cullen, Ainsworth, Gronemus, Hines and Musser.

To committee on **Natural Resources and Transportation**.

REPORT OF COMMITTEES

The joint committee on **Finance** reports and recommends:

Senate Bill 216

Relating to: increasing funding for the Department of Corrections and the University of Wisconsin System for energy–related and utility–related expenses; the Senior Care Program; transferring moneys from the general fund to the Medical Assistance trust fund; supplemental Medical Assistance payments to nursing homes; general fund statutory balance; and making appropriations.

Introduction and adoption of Senate Amendment 1.

Ayes, 16 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon.

Noes, 0 – None.

Passage as amended.

Ayes, 16 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon.

Noes, 0 – None.

SCOTT FITZGERALD
Senate Chairperson

The committee on **Judiciary, Corrections and Privacy** reports and recommends:

Assembly Bill 24

Relating to: quorum requirements for a zoning board of appeals or adjustment.

Concurrence.

Ayes, 4 – Senators Zien, Roessler, Grothman and Risser.

Noes, 1 – Senator Taylor.

Assembly Bill 36

Relating to: classification of jail prisoners for determining prisoner housing assignments, the type of prisoner supervision, and the delivery of services and programs to prisoners.

Concurrence.

Ayes, 5 – Senators Zien, Roessler, Grothman, Taylor and Risser.

Noes, 0 – None.

Assembly Bill 37

Relating to: an exemption from the witness exclusion rule for a law enforcement investigator designated by the state in criminal and delinquency proceedings.

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Zien, Roessler, Grothman, Taylor and Risser.

Noes, 0 – None.

Concurrence as amended.

Ayes, 5 – Senators Zien, Roessler, Grothman, Taylor and Risser.

Noes, 0 – None.

Assembly Bill 40

Relating to: forfeiture of money derived from a drug crime.

Concurrence.

Ayes, 3 – Senators Zien, Roessler and Grothman.

Noes, 2 – Senators Taylor and Risser.

Senate Bill 112

Relating to: the Uniform Child Custody Jurisdiction and Enforcement Act.

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Zien, Roessler, Grothman, Taylor and Risser.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Zien, Roessler, Grothman, Taylor and Risser.

Noes, 0 – None.

Senate Joint Resolution 9

Relating to: deleting from the constitution the office of secretary of state (first consideration).

Adoption.

Ayes, 3 – Senators Zien, Roessler and Grothman.

Noes, 1 – Senator Taylor.

DAVID ZIEN
Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin

June 8, 2005

The Honorable, The Senate:

Pursuant to Senate Rule [46\(2\)\(c\)](#), I am writing to direct that **Senate Bills 16, 19, 103, and 190** be withdrawn from the committee on **Senate Organization**, and **Senate Bills 222 and 223** be withdrawn from the committee on **Natural Resources and Transportation**, and be rereferred to the committee on **Joint Finance**. I have obtained the consent of the appropriate chairpersons.

Sincerely,
ALAN LASEE
Senate President

State of Wisconsin

Department of Health and Family Services

June 8, 2005

The Honorable, The Legislature:

The attached report is submitted to the Legislature pursuant to s. [46.27\(11g\)](#) and s. [46.277\(5m\)](#) of the state statutes. The state statutes require the Department of Health and Family Services to submit an annual report for the Community Options Program (COP) and the Home and Community-Based Waivers (COP-W/CIP II). The attached report describes the persons served, program expenditures, and services delivered through the COP, COP-Waiver and CIP II programs in calendar year 2003.

The Community Options Program provides services to people who are elderly or who have a physical, developmental, or mental disability, and is closely coordinated with all of Wisconsin's Medicaid Home and Community-Based Waivers. With the Department's oversight, county agencies are able to ensure that a comprehensive and individualized care plan is provided, while maintaining program flexibility and integrity, and maximizing federal matching funds.

Sincerely,
HELENE NELSON
Secretary

State of Wisconsin

Office of the Secretary of State

To the Honorable, the Senate:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
Senate Bill 124	Act 13	June 20, 2005

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

Pursuant to Senate Rule [17 \(5\)](#), Senator Carpenter added as a coauthor of **Senate Bill 221**.

ADVICE AND CONSENT OF THE SENATE

State of Wisconsin

Office of the Governor

June 3, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint TROCHLELL, PATRICIA, of Blue Mounds, as a member of the Examining Board of Professional Geologists, Hydrologists and Soil Scientists, to serve for the term ending July 1, 2009.

Sincerely,
JIM DOYLE
Governor

Read and referred to committee on **Natural Resources and Transportation**.

**State of Wisconsin
Office of the Governor**

June 6, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BERRY, RYAN, of Madison, as a member of the Athletic Trainers Affiliated Credentialing Board, to serve for the term ending July 1, 2009.

Sincerely,

JIM DOYLE
Governor

Read and referred to committee on **Health, Children, Families, Aging and Long Term Care.**

ADJOURNMENT

The Chair, with unanimous consent, asked that the Senate adjourn until Tuesday, June 14, 2005 at 10:00 A.M.

Adjourned.

10:01 A.M.

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 33** offered by Senator Leibham.